

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS
EASTERN DIVISION**

TIMOTHY M. BROWDER,)	
)	1:05cv10464
Plaintiff,)	
)	Judge Saris
v.)	
)	
NATIONAL FINANCIAL SYSTEMS, INC.,)	
)	
Defendant.)	

DECLARATION OF DANIEL A. EDELMAN

I, Daniel A. Edelman, declare under penalty of perjury, as provided for by the laws of the United States (28 U.S.C. §1746), that the following statements are true:


1. On May 28, 2004, Edelman, Combs, Lattuner & Goodwin, LLC brought a class action lawsuit against National Financial Systems, Inc. in the United States District Court for the Northern District of Illinois, captioned *Dagg v. National Financial Systems, Inc.*, Case No. 04 C 3731.

2. In the *Dagg* litigation, National Financial Systems, Inc. represented in response to one of plaintiff's interrogatories that, as of October 31, 2004, its net worth was \$1,211,583.00 and that there were 13,537 class members. A settlement agreement in *Dagg* was executed by the parties on May 19, 2005.

3. On March 3, 2005, Edelman, Combs, Lattuner & Goodwin, LLC brought a class action lawsuit against National Financial Systems, Inc. in the United States District Court for the Southern District of Indiana, captioned *Thurman v. National Financial Systems, Inc.*, Case No. 05 C 0031.

4. By August 1, 2005, the parties had agreed in principle to a settlement of *Thurman*. In the course of the settlement negotiations, counsel for NFS represented to Thurman's counsel that there were 1,485 class members and that there had been no material changes in the net worth of NFS since October 31, 2004.

Date: August 3, 2006



Daniel A. Edelman

EDELMAN, COMBS, LATTURNER
& GOODWIN, LLC
120 S. LaSalle Street, 18th Floor
Chicago, Illinois 60603
(312) 739-4200
(312) 419-0379 (FAX)